

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMOS KAUFFMAN	:	CIVIL ACTION
	:	
v.	:	
	:	
THE PENNSYLVANIA SOCIETY FOR	:	
THE PREVENTION OF CRUELTY TO	:	
ANIMALS, et al.	:	NO. 10-2504

ORDER

AND NOW, this 16th day of February, 2011, upon consideration of plaintiff's May 24, 2010 complaint (docket entry # 1), defendants' August 11, 2010 partial motion to dismiss pursuant to Fed. R. Civ. P. 12(b)(6) (docket entry # 5), plaintiff's August 18, 2010 exhibit to complaint (docket entry # 6), and plaintiff's August 25, 2010 response to defendant's motion to dismiss (docket entry # 7), and in accordance with the accompanying Memorandum, it is hereby ORDERED that:

1. Count I of plaintiff's complaint is DISMISSED;
2. Defendants' motion to dismiss is GRANTED as to Counts IV with respect to all defendants;
3. Defendants' motion to dismiss is GRANTED as to Counts II and III with respect to defendant The Pennsylvania Society for the Prevention of Cruelty to Animals, but is DENIED as to defendants Ashley Mutch and Kristen Sullivan; and
4. By Tuesday, March 1, 2011, the plaintiff shall

file a brief, not to exceed ten pages, responding to the Court's discussion of his Fourth Amendment claim under Count III and his Fourteenth Amendment claim under Count II.

BY THE COURT:

___\s\Stewart Dalzell